

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

O.A.No.15/99

Date of order: 27/4/2000

Alik Ram Nayak, S/o Shri Mangala Nayak, R/o New Railway Colony, Qtr.No.844, Kota Junction, employed on the post of Gangman under CPWI(N) Kota Division, W.Rly.Kota.

...Applicant.

Vs.

1. Union of India through General Manager, Western Rly, Church Gate, Mumbai.
2. Divisional Engineer(Track), W.Rly, Kota Divn., Kota.

...Respondents.

Mr.Shiv Kumar - Counsel for the applicant

Mr.R.G.Gupta - Counsel for respondents.

CORAM:

Hon'ble Mr.S.K.Agarwal, Judicial Member

Hon'ble Mr.N.P.Nawani, Administrative Member.

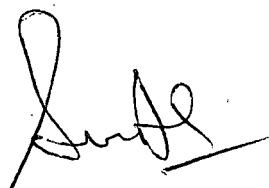
PER HON'BLE MR.S.K.AGARWAL, JUDICIAL MEMBER.

In this Original Application under Sec.19 of the Administrative Tribunals Act, 1985, the applicant makes a prayer to direct the respondents to pay to the applicant the difference of pay w.e.f. 20.2.96 to 30.6.97 on the ground that the applicant worked as Typist during this period.

2. Admittedly, the applicant was posted as Sr.Gangman at Indergarh under Railway Inspector, Indergarh. From a perusal of the pleadings it is also clear that the applicant worked as Typist w.e.f. 20.2.96 to 30.6.97, purely on ad hoc and temporary basis under the Asstt.Engineer (North), Kota but he was paid the salary of the post of Sr.Gangman in the pay scale of Rs.800-1150(RP). It also appears that the Asstt.Engineer (North) Kota, has also forwarded the case of the applicant for payment of salary as Typist in the pay scale of Rs.950-1500(RP) for the period the applicant worked as Typist which is clearly evident from Annex.A5.

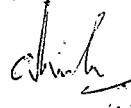
3. In view of the facts as stated above, the applicant is entitled to salary of Typist from 20.2.96 to 30.6.97 but the applicant was paid the salary of the post of Sr.Gangman (Rs.800-1150).

4. We, therefore, allow the O.A and direct the respondents to pay the salary to the applicant for the period he worked as Typist i.e. 20.2.96 to 30.6.97 in the pay scale of Rs.950-1500(RP), after adjusting the salary already paid to the applicant during this period, within two months from the date of receipt of a copy of

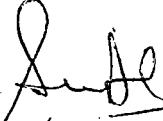


this order.

5. No order as to costs.


(N.P.Nawani),

Member (A).


(S.K.Agarwal)
Member (J).